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DETAILED ACTION

 Request for Continued Examination received on August 26, 2010 has been acknowledged. Claims 2, 4-5, 10, 12-13, 18, 20-21 and 28-32 have been canceled.
 Claims 1, 3, 6-9, 11, 14-17, 19, 22-27 and 33, as amended are currently pending and have been considered below.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 26, 2011 has been entered.

Claim Rejections - 35 USC § 103

- The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- Claims 1, 3, 6-9, 11, 14-17, 19, and 22-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bingham et al. (US 2002/0069094) hereafter Bingham, in view of Couch et al. (4,752,876) hereafter Couch, further in view of Edward B.

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Fiske: "Christmas in Williamsburg" (Dec. 25, 1983) hereafter Fiske, further in view of Smith et al. (6,085,164) hereafter Smith.

As per claims 1, 9 and 17, Bingham discloses a method, a machine readable storage medium for providing instructions which cause the processor to perform the method (Page 3, paragraph [0025]), and a system (Figures 1, 2a, 2b, and 3) for performing the method comprising:

a data processing system (Internet based system) receiving a request to reserve (Page 1, paragraph 0008; discloses a reservation request is received from a user) a space (resources for meetings) for use on at least a future date, wherein a category of a plurality of categories comprise the space, wherein the data processing system stores availability information for a plurality of function spaces at a plurality of properties (multiple meeting facility resources) and a set of pricing rules (Examiner interprets this as rules for determining the price of the space), (Bingham discloses received meeting facility criteria for a future date for the use of a category space including meeting room and guest room meeting facility resources. In the alternative embodiment, the received meeting facility criteria also include desired food and beverage service meeting facility resources (paragraph 0029) and a price for the defined meeting package is generated based upon the retrieved customer profile (block 516) (paragraph 0033)) and, wherein the request comprises a plurality of criteria. (paragraph 0008; discloses that the meeting package may be defined or reserved based on various meeting facility criteria input by the user, real time facility inventory, or facility reservation rules), (Figure 4 and paragraph 0029; disclose meeting facility criteria are received (block 404) from the user

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via a graphical interface, (paragraph 30) a customer profile, a reservation rule, a reservation quota, and a meeting facility inventory are retrieved. Thereafter the retrieved reservation rule is applied to determine whether the user input meeting facility criteria satisfy the generated based upon the retrieved customer profile. In one embodiment, customer profile includes a customer type designation such as corporate or government which entitles the designated customer to reduced prices for hotel guest room and other services (pricing rule corresponding to a criterion) (paragraph 0038) a meeting facility employee may adjust room pricing values such as the corporate room rate and resource availability such as the number or booked or available meeting rooms Figure 4 (404), (410));

a processor determining an availability of each of a plurality of the function spaces in the category on the future date, wherein the determining the availability further comprises determining the availability based upon some or all of the availability information at a plurality of properties and one or more of the criteria (Figure 5 (512) Are the Specified Meeting Facility Resources Available for Reservation?, page 1, paragraph 0008, page 4, paragraph 0033; discloses that the availability the inventory is checked for the future date, based on the provided criteria);

determining that none of the plurality of function spaces in the category that satisfy the one or more of the plurality of criteria are available on the future date (page 4, paragraph 0033; discloses that method includes determining if the requested function space is unavailable based on one or more of the plurality of criteria. Page 5, paragraph

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[0036]; discloses that it is determined that a space is unavailable due to capacity issues and an alternative time is suggested where it would be available);

automatically providing a real-time price quote for the space based upon the set of pricing rules (Paragraph 0033; discloses if sufficient meeting facility resources are available to cover those desired by the user as described in the meeting facility criteria then a meeting package definition is generated using the specified meeting facility resources (block 514), a price for the defined meeting package is generated based upon the retrieved customer profile (block 516), and the meeting package definition; Figure 11 Reserve room for more then 7 nights and get 10% off; Figure 5 (516) Price the Meeting Package Based on the Customer Profile; (Paragraph 0008) the meeting package may be defined or reserved based on various meeting facility criteria input by the user, real time facility inventory data, or facility reservation rules; real time (Page 1, paragraph 0008) a customer profile associated with the user may be used to determine the price of the meeting package or its component resources. The meeting package may be defined or reserved based on various meeting facility criteria input by the user, real time facility inventory data, or facility reservation rules. Figure 5 [516], page 4. paragraph 0033, page 5, paragraph 0038).

receiving an acceptance of the real-time price quote for the space from the user; and establishing a reservation for the requested function space (Figure 4 (416), Figure 5 (516), Figure 12 (confirmation number, grand total), page 5, paragraph 0037).

Bingham does not explicitly disclose an authorization level for the category, accessing the authorization level for the category, in response to the determining that

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none of the plurality of function spaces are available, wherein the authorization level indicates how many overbookings are allowed for the category on the future date; in response to determining that the additional overbooking is allowed for the category, based upon a comparison of the authorization level to a number of existing reservations for function spaces in the category on the future date; overbooking a category space in the category, in response to the acceptance, wherein, the overbooking comprises accepting a reservation for the category space for use on the future date even though none of the function spaces in the category are currently determined to be available on the future date; subsequent to the overbooking, mapping the category space to a specific function space in the category, wherein the specific function spaces satisfies the one or more of the plurality of criteria, and wherein the specific function space becomes available for reservation due to a cancellation made subsequent to the overbooking; and converting, after the mapping the reservation for the category space to a reservation for the specific function space.

Couch, which talks about lodging facilities and room or space reservation, teaches mapping the category space to a specific function space in the category, wherein the specific function space satisfies the one or more of the plurality of criteria, and converting, after the mapping the reservation for the category space to a reservation for the specific function space (Col. 5, lines 39-55; teaches that it is known to map a room type or category space to a specific function space. In this case the customer confirms the type of reservation they wish to have or the room type and then the system looks for a room of that type which fits the criteria of the reservation. After

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the system finds an appropriate room the system converts the reservation of a type to a specific reservation linking the customer to that specific room. It would have been obvious to perform the same task in Bingham where the customer asks for a room or space of a specific type and the system then later maps the request to a specific room and then converts the request of a type to a reservation of a specific room as shown in Couch, this would avoid having to change the reservation during the type between the request and the check-in and would assure the reservation is for a room that is available at check-in as shown in Couch).

Therefore, from this teaching of Couch, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the reservation system provided by Bingham, with the mapping of a room or category type to a specific room or space and converting the request for a type to a reservation of a specific room or space as shown in Couch, for the purpose of avoid having to change the reservation during the type between the request and the check-in and would assure the reservation is for a room that is available at check-in as shown in Couch.

The combination fails to explicitly disclose an authorization level for the category, accessing the authorization level for the category, in response to the determining that none of the plurality of function spaces are available, wherein the authorization level indicates how many overbookings are allowed for the category on the future date; in response to determining that the additional overbooking is allowed for the category, based upon a comparison of the authorization level to a number of existing reservations for function spaces in the category on the future date; overbooking a category space in

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the category, in response to the acceptance, wherein, the overbooking comprises accepting a reservation for the category space for use on the future date even though none of the function spaces in the category are currently determined to be available on the future date; and wherein the specific function space becomes available for reservation due to a cancellation made subsequent to the overbooking.

Fiske, which talks about hotels reserving space in advance, teaches that guests can be placed on a waiting list so if a desired space becomes available due to another guest canceling they will be asked to fill the spot (Page 1, paragraph 2, lines 24-28; disclose that the hotel has reservations made for a particular spot in a hotel made during a particular and when they are full they keep an active waiting list to help them ensure the profit they expected and the customers with the space they desired. From this it would have been obvious to allow guests to request room types which are already taken and allow them to take the reservation upon the cancellation of another guest).

Therefore, from this teaching of Fiske, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the reservation system provided by Bingham and couch, with the use of waiting lists taught by Fiske, for the purpose of providing flexible customers a chance to get their desired spot and to also ensure that the business makes the profit they are expecting so there is not lost revenue.

The combination fails to explicitly disclose an authorization level for the category, accessing the authorization level for the category, in response to the determining that none of the plurality of function spaces are available, wherein the authorization level

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indicates how many overbookings are allowed for the category on the future date; in response to determining that the additional overbooking is allowed for the category, based upon a comparison of the authorization level to a number of existing reservations for function spaces in the category on the future date; overbooking a category space in the category, in response to the acceptance, wherein, the overbooking comprises accepting a reservation for the category space for use on the future date even though none of the function spaces in the category are currently determined to be available on the future date.

Smith, which talks about the maximizing the sale of inventory resource to a customer, teaches it is known to have an authorization level for the category (Col. 5, lines 34-42, Col. 6, line 66 through Col. 7, line 43; teach that it is know to assign a authorization level or limit to the overbooking of types of reservations),

accessing the authorization level for the category in response to the determining that none of the plurality of function spaces are available, wherein the authorization level indicates how many overbookings are allowed for the category on the future date (Col. 5, lines 34-42, Col. 6, line 66 through Col. 7, line 43; teach that each reservation is checked for an authorization limit to determine if a overbooking is allowed and this authorization limit indicates how many overbookings are allowed for a category or type of reservation);

pricing in response to determining that the additional overbooking is allowed for the category, based upon a comparison of the authorization level to a number of existing reservations for function spaces in the category on the future date (Col. 5, lines

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34-42, Col. 6, line 66 through Col. 7, line 43 and Col. 5, line 43 through Col. 6, lines 7; teach that pricing is evaluated and re-evaluated for every reservation and this is done for overbooking based on if the overbooking is allowed what is available, what has been canceled for that type of reservation for that date);

overbooking a category space in the category, in response to the acceptance, wherein, the overbooking comprises accepting a reservation for the category space for use on the future date even though none of the function spaces in the category are currently determined to be available on the future date (Col. 5, lines 34-42, Col. 6, line 66 through Col. 7, line 43; teach that reservation types are accepted for inventory which has already been reserved on a future date, thus overbooking takes place. It would have been obvious to modify the combination of Bingham and Couch with the teachings of Fiske and Smith, to over book the rooms or spaces, based on the historical data shown in Smith. This is done since historically these spaces have a percentage of cancelations and thus could potentially result in lost revenue. It would have been obvious to perform overbooking for the reasons set forth in Smith, which is to maximize the revenue of the inventory, by over booking the system assures that the inventory will be used thus the profit will be made for those future dates. This ensures that the rooms or spaces shown in Bingham and Couch will be used if possible and the rooms won't be left vacant, thus making as much revenue as possible):

Therefore, from this teaching of Smith, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the reservation system provided by Bingham, Couch and Fiske, with the overbooking techniques taught

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by Smith, for the purpose of ensuring maximum revenue of the available inventory as shown in Smith. The goal is to maximize the revenue which is generated but the inventory of the system. Therefore, it would have been obvious to perform overbooking for the reasons set forth in Smith, which is to maximize the revenue of the inventory, by over booking the system assures that the inventory will be used thus the profit will be made for those future dates. This ensures that the rooms or spaces shown in Bingham and Couch will be used if possible and the rooms won't be left vacant, thus making as much revenue as possible.

As per claims 3, 11 and 19, the combination of Bingham, Couch, Fiske and Smith teaches a method, medium and system; Bingham further discloses wherein the plurality of properties are individual hotels of a hotel chain (Figures 11 and 12).

As per claims 6, 14 and 22, the combination of Bingham, Couch, Fiske and Smith teaches a method, medium and system; Bingham further discloses further comprising receiving a rejection of the real-time price from the user; and providing a set of alternatives to one or more of the plurality of criteria in real-time, in response to the receiving the rejection, wherein the set of alternatives are available on the future date (Figures 4 and 5, Figure 11 alternatives are presented with different prices. Page 4, paragraph [0033]; discloses that the user is presented real-time price, at which point they can reject it by choosing to modify the reservation. From this it would have been obvious that the user rejects the initial offer and is then presented a set of alternatives to modify the reservation).

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As per claims 7, 15 and 23, the combination of Bingham, Couch, Fiske and Smith teaches a method, medium and system; Bingham further discloses wherein the category specified by one or more category related criteria included in the plurality of criteria (Figures 4 and 5, pages 1, paragraph 0008).

As per claims 8, 16 and 24, the combination of Bingham, Couch, Fiske and Smith teaches a method, medium and system; Bingham further discloses wherein the category related criteria include one or more criterion selected from the group consisting of attendance (Figure 7 (706), event type (customer type Figure 4)(page 4, paragraph 0033), setup styles (Figure 9 (906)(Setup Classroom) and area (Figure 7 (708)(Figures 7-14).

As per claims 25-27, Bingham discloses wherein the criteria includes selected from a group of criteria consisting of date (Figure 4), day-part, (Figure 9), current demand (Figure 11) and supplementary sales [0029][0034] (supplementary sales as defined by applicant in the specification in paragraph [49]. For example, the price at which a ballroom for a particular event is rented may be determined by consideration of many factors, including the profit on supplementary sales, such as food and beverages served at the event, and the number of guest rooms rented in conjunction with the Event – Bingham discloses received meeting facility criteria including meeting room and guest room meeting facility resources. In the alternative embodiment, the received meeting facility criteria also include desired food and beverage service meeting facility resources [0029] and a price for the defined meeting package is generated based upon the retrieved customer profile (block 516) [033], the request including a plurality of

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criteria, ([0008] the meeting package may be defined or reserved based on various meeting facility criteria input by the user, real time facility inventory, or facility reservation rules), (Figure 4 and [0029] meeting facility criteria are received (block 404) from the user via a graphical interface), [0030] a customer profile, a reservation rule, a reservation quota, and a meeting facility inventory are retrieved. Thereafter the retrieved reservation rule is applied to determine whether the user input meeting facility criteria satisfy the retrieved reservation rule [0033] a price for the defined meeting package is generated based upon the retrieved customer profile. In one embodiment, customer profile includes a customer type designation such as corporate or government which entitles the designated customer to reduced prices for hotel guest room and other services (pricing rule corresponding to a criterion) [0038] a meeting facility employee may adjust room pricing values such as the corporate room rate and resource availability such as the number or booked or available meeting rooms Figure 4 (404), (410).

 Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bingham et al. (US 2002/0069094) hereafter Bingham, in view of Couch et al. (4,752,876) hereafter Couch.

As per claim 33, Bingham discloses a method comprising:

a data processing system receiving a request for a function space in a particular category, wherein the data processing system stores availability information for a plurality of function spaces at a plurality of properties in a common reservation table, the common reservation table concurrently stores information related to an inventory of a

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specific space and a category space representing the function space, each of the plurality of function spaces is a specific space located at one of a plurality of properties. and the data processing system stores a set of pricing rules, the request comprises a plurality of criteria, the plurality of criteria comprises a ranking of facility quality and the pricing rules including pricing based on a time of year (Bingham discloses received meeting facility criteria including meeting room and guest room meeting facility resources. In the alternative embodiment, the received meeting facility criteria also include desired food and beverage service meeting facility resources (paragraph 0029) and a price for the defined meeting package is generated based upon the retrieved customer profile (block 516) (paragraph 0033), the request comprising a plurality of criteria. (paragraph 0008; discloses that the meeting package may be defined or reserved based on various meeting facility criteria input by the user, real time facility inventory, or facility reservation rules), (Figure 4 and paragraph 0029; disclose meeting facility criteria are received (block 404) from the user via a graphical interface). (paragraph 30) a customer profile, a reservation rule, a reservation quota, and a meeting facility inventory are retrieved. Thereafter the retrieved reservation rule is applied to determine whether the user input meeting facility criteria satisfy the generated based upon the retrieved customer profile. In one embodiment, customer profile includes a customer type designation such as corporate or government which entitles the designated customer to reduced prices for hotel guest room and other services (pricing rule corresponding to a criterion) (paragraph 0038) a meeting facility employee may adjust room pricing values such as the corporate room rate and resource

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availability such as the number or booked or available meeting rooms Figure 4 (404), (410); criteria consisting of date (Figure 4), day-part, (Figure 9), current demand (Figure 11) and supplementary sales [0029][0034] (supplementary sales as defined by applicant in the specification in paragraph [49]. For example, the price at which a ballroom for a particular event is rented may be determined by consideration of many factors, including the profit on supplementary sales, such as food and beverages served at the event, and the number of guest rooms rented in conjunction with the Event. Figure 11; discloses that the information includes rankings as well).

a processor of a central reservation system data processing system determining an availability of the function space, wherein the determining comprises determining the availability based upon some or all of the availability information and one or more of the plurality of criteria, said determining comprises determining the availability contingent on a threshold revenue for the function space, the threshold revenue comprises an expected food and drink revenue associated with the request, and revenue derived from an expected number of sleeping rooms rentals associated with the request, and the threshold revenue is determined based on a day part for which the function space is requested (Figure 5 (512) Are the Specified Meeting Facility Resources Available for Reservation?, page 1, paragraph 0008, page 4, paragraph 0033. Bingham discloses received meeting facility criteria including meeting room and guest room meeting facility resources. In the alternative embodiment, the received meeting facility criteria also include desired food and beverage service meeting facility resources (paragraph 0029) and a price for the defined meeting package is generated based upon the retrieved

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customer profile (block 516) (paragraph 0033), the request comprising a plurality of criteria. (paragraph 0008; discloses that the meeting package may be defined or reserved based on various meeting facility criteria input by the user, real time facility inventory, or facility reservation rules). (Figure 4 and paragraph 0029; disclose meeting facility criteria are received (block 404) from the user via a graphical interface). (paragraph 30) a customer profile, a reservation rule, a reservation guota, and a meeting facility inventory are retrieved. Thereafter the retrieved reservation rule is applied to determine whether the user input meeting facility criteria satisfy the generated based upon the retrieved customer profile. In one embodiment, customer profile includes a customer type designation such as corporate or government which entitles the designated customer to reduced prices for hotel quest room and other services (pricing rule corresponding to a criterion) (paragraph 0038) a meeting facility employee may adjust room pricing values such as the corporate room rate and resource availability such as the number or booked or available meeting rooms Figure 4 (404). (410); criteria consisting of date (Figure 4), day-part, (Figure 9), current demand (Figure 11) and supplementary sales [0029][0034] (supplementary sales as defined by applicant in the specification in paragraph [49]. For example, the price at which a ballroom for a particular event is rented may be determined by consideration of many factors, including the profit on supplementary sales, such as food and beverages served at the event, and the number of guest rooms rented in conjunction with the Event. Page 4, paragraph [0031]; discloses that the quota is based on a percentage of guess rooms occupied during the event. Page 4, paragraph [0035] and page 5, paragraph [0036]; disclose the

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planner also ensures that event takes place at an available time or part of the day which the space is requested and if the space is not available then an optimal time when it is available is suggested);

automatically providing a real-time price quote for the request based on the set of pricing rules, wherein in response to having determined that a requested function space satisfying the plurality of criteria is unavailable, an alternative to the request function space is presented, the alternative is selected as a closest approximation to the request, the alternative is selected based on being fully available, the pricing rules comprise general pricing rules, and property-specific pricing rules, and the real-time price quote includes a pricing discount based on an attendance of the event, profit for one or more expected quest room rentals, and an expected profit on food and drink sales (Paragraph 0033; discloses if sufficient meeting facility resources are available to cover those desired by the user as described in the meeting facility criteria then a meeting package definition is generated using the specified meeting facility resources (block 514), a price for the defined meeting package is generated based upon the retrieved customer profile (block 516), and the meeting package definition; Figure 11 Reserve room for more then 7 nights and get 10% off; Figure 5 (516) Price the Meeting Package Based on the Customer Profile; (Paragraph 0008) the meeting package may be defined or reserved based on various meeting facility criteria input by the user, real time facility inventory data, or facility reservation rules; real time (Page 1, paragraph 0008) a customer profile associated with the user may be used to determine the price of the meeting package or its component resources. The meeting package may be defined

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or reserved based on various meeting facility criteria input by the user, real time facility inventory data, or facility reservation rules. Figure 5 [516], page 4, paragraph 0033, page 5, paragraph 0038. Page 5, paragraph [0036]; discloses that it is determined that a space is unavailable due to capacity issues and an alternative time is suggested where it would be available this alternative would be for the optimal time, from this it is clear it is the closest approximation to the original request);

in response to an user rejecting the real time price quote, presenting a the alternative (Figures 4 and 5, Figure 11 alternatives are presented with different prices. Page 4, paragraph [0033]; discloses that the user can reject and modify the request. From this it would have been obvious that the user rejects the initial offer and is then presented a set of alternatives to modify the reservation);

receiving an acceptance of the real-time price quote for the function space from a user (Figure 4 (416), Figure 5 (516), Figure 12 (confirmation number, grand total), page 5, paragraph 0037).

establishing a reservation for one of the category spaces allocated for a length of time including a setup period and teardown period, the length of time is determined in response to a selected setup style and the attendance (Figure 4 (416), Figure 5 (516), Figure 12 (confirmation number, grand total), page 5, paragraph 0037. Page 5, paragraph 0039; discloses that there is both a setup style and attendance with a certain dollar value associated with the food and beverages in conjunction with a reservation and there is also a tear down and setup time included in the "cutoff" days when another event can be planned in the same room or area).

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Bingham fails to explicitly disclose wherein the plurality of function spaces is represented by a corresponding plurality of category spaces, and wherein each of the category spaces represents a non-specific unit of function space in the particular category and converting, after a delay, the reservation for the one of the category spaces to a reservation for one of the function spaces.

Couch, which talks about lodging facilities and room or space reservation. teaches wherein the plurality of function spaces is represented by a corresponding plurality of category spaces, and wherein each of the category spaces represents a non-specific unit of function space in the particular category and converting, after a delay, the reservation for the one of the category spaces to a reservation for one of the function spaces (Col. 5, lines 39-55; teaches that it is known to map a room type or category space to a specific function space. In this case the customer confirms the type of reservation they wish to have or the room type and then the system looks for a room of that type which fits the criteria of the reservation. After the system finds an appropriate room the system converts the reservation of a type to a specific reservation linking the customer to that specific room. It would have been obvious to perform the same task in Bingham where the customer asks for a room or space of a specific type and the system then later maps the request to a specific room and then converts the request of a type to a reservation of a specific room as shown in Couch, this would avoid having to change the reservation during the type between the request and the check-in and would assure the reservation is for a room that is available at check-in as shown in Couch).

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Therefore, from this teaching of Couch, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the reservation system provided by Bingham, with the mapping of a room or category type to a specific room or space and converting the request for a type to a reservation of a specific room or space as shown in Couch, for the purpose of avoid having to change the reservation during the type between the request and the check-in and would assure the reservation is for a room that is available at check-in as shown in Couch.

Response to Arguments

- Applicant's arguments filed August 26, 2010 have been fully considered but they are not persuasive.
- Applicant's arguments with respect to claims 1, 3, 6-9, 11, 14-17, 19, 22-27 and
 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to PAUL R. FISHER whose telephone number is (571)270-

5097. The examiner can normally be reached on Mon/Fri [8am/4:30pm].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Janice Mooneyham can be reached on (571) 272-6805. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

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/PRF/

Examiner, Art Unit 3689

/Dennis Ruhl/

Primary Examiner, Art Unit 3689